

## REMARKS

### I. Introduction

Claims 1-29 are pending in the above application.

Claims 1-29 stand rejected under 35 U.S.C. § 103 as being obvious.

Claims 1, 13, 22 and 23 are independent claims.

### II. Prior Art Rejections

Claims 1-29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Candelore (U.S. Pat. 6,697,489) (hereafter “Candelore ‘489”) in view of Candelore et al. (U.S. Pub. 2003/0188162) (hereafter “Candelore ‘162”).

Neither Candelore ‘489 nor Candelore ‘162, taken alone or in combination disclose or suggest the claimed invention. Candelore ‘489 discloses to secure control words for scrambled digital content by using encrypted control words which are decrypted by a key in the descrambler. Candelore ‘489, abs. Candelore ‘489 does not disclose to use a key register in a first body which cannot be overwritten after a programmability period, as substantially recited in Applicant’s claims, and the Office action appears to acknowledge such deficiency of Candelore ‘489. Candelore ‘162 also does not disclose such.

Candelore ‘162 merely discloses to restrict access to a hard drive by “locking” the hard drive using a randomly generated key, hereafter referred to as the “hard drive locking key”. Candelore ‘162, paras. [0030 – 0034]. The hard drive locking key discussed in Candelore ‘162 does not appear to be used for encrypting the content of data contained on or provided by the hard drive, aka is not used by an encryption engine “to produce ciphertext content”, as recited by at least Applicant’s claim 1. Moreover, the hard drive locking key is a randomly generated key

which changes at each use, and hence is constantly overwritten. Candelore '162, para. [0031] "the first key is a random number generated by the host each time a hard drive needs to be locked[. T]his is to prevent 'spoofing' and unlocked hard drive." Candelore '162 also explains that the key is stored in "the hard drive's flash memory", which is typically a rewritable memory.

Accordingly, Candelore '162 also does not disclose to use a key register in a first body which cannot be overwritten after a programmability period, as substantially recited in Applicant's claims. Moreover, the hard drive locking key discussed in Candelore '162 is not a key used for encryption to produce ciphertext, and hence is not analogous art to Applicant's invention as it is not in the same field of endeavor or concerned with the same problems faced by Applicant. Finally, Candelore '162 actually appears to teach away from a system which prevents rewriting a key register since Candelore '162 discloses constantly change the key to avoid a concern of ghosting. Hence the combination of Candelore '489 and Candelore '162 does not produce the claimed invention as it does not disclose all of the claimed limitations in any of independent claims 1, 13, 22 or 23. Moreover, the combination is improper as applied against the claimed invention because Candelore '162 is not analogous art and actually teaches away from Applicant's invention.

Accordingly, Applicant respectfully requests the rejection of claims 1-29 to be withdrawn.

### **III. Conclusion**

Having fully responded to the Office action, the application is believed to be in condition for allowance. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Respectfully submitted,

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